

## H. R. 76.

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JANUARY 25, 1817.

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Read twice, and committed to a committee of the whole House on  
Monday next.

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### A Bill

*To regulate the laying out and making a road from the Ohio river, opposite where the Cumberland road strikes that river, to the State of Indiana.*

1     *Be it enacted by the Senate and House of Representatives of*  
2     *the United States of America, in Congress assembled, That*  
3     the President of the United States be, and he is hereby, autho-  
4     rized to appoint, by and with the advice and consent of the  
5     Senate, three discreet and disinterested citizens of the United  
6     States, to lay out a road from the western bank of the Ohio  
7     river, at a point opposite where the Cumberland road strikes  
8     that river, to the eastern boundary of the State of Indiana,  
9     whose duty it shall be, as soon as may be after their appoint-  
10    ment, to repair to the river Ohio, at the point aforesaid, and to  
11    lay out in such direction as they shall judge, under all circum-  
12    stances, the most proper, a road from thence to the town of Co-  
13    lumbus, in the State of Ohio, thence in a westwardly direction  
14    to the eastern boundary of the State of Indiana.

1     SEC. 2. *And be it further enacted,* That the aforesaid road  
2 shall be laid out four rods in width, and designated on each  
3 side by a plain and distinguishable mark on a tree, or by the  
4 erection of a stake or a monument sufficiently conspicuous in  
5 every quarter of a mile of the distance at least, where the road  
6 pursues a straight course so far or further, and on each side  
7 at every point where an angle occurs in its course.

1     SEC. 3. *And be it further enacted,* That the commissioners  
2 shall, as soon as may be after they have laid out said road as  
3 aforesaid, present to the President an accurate plan of the same,  
4 with its several courses and distances, accompanied by a  
5 written report of their proceedings, describing the marks and  
6 monuments by which the road is designated, and the face of the  
7 country over which it passes, and pointing out the particular  
8 parts which they shall judge require the most and immediate  
9 attention, and the probable expense of making the same passable  
10 in the most difficult parts, and through the whole distance,  
11 which report the President is hereby authorized to accept or  
12 reject, in the whole or in part; if he accepts, he is hereby further  
13 authorized and requested to pursue such measures as, in his  
14 opinion, shall be proper to obtain consent for making the road,  
15 of the State through which the same has been laid out, which  
16 consent being obtained, he is further authorized to take prompt  
17 and effectual measures to cause said road to be made through  
18 the whole distance, or in any part or parts of the same, as he

19 shall judge most conducive to the public good, having reference  
20 to the sum appropriated for the purpose.

1     SEC. 4. *And be it further enacted,* That all parts of the road  
2 which the President shall direct to be made, in case the trees  
3 are standing, shall be cleared the whole width of four rods, and  
4 the road shall be raised in the middle of the carriage way with  
5 stones, earth, or gravel and sand, or a combination of some or  
6 all of them, leaving or making, as the case may be, a ditch or  
7 water course on each side, and contiguous to said carriage way,  
8 and in no instance shall there be an elevation in said road when  
9 finished, greater than an angle of five degrees with the horizon,  
10 but the manner of making said road, in every other particular,  
11 is left to the direction of the President.

1     SEC. 5. *And be it further enacted,* That the said commission-  
2 ers shall each receive                 dollars per day while employed  
3 as aforesaid, in full, for their compensation, including all ex-  
4 penses; and they are hereby authorized to employ one surveyor,  
5 two chain men, and one marker, for whose faithfulness and ac-  
6 curacy they, the said commissioners, shall be responsible, to  
7 attend them in laying out said road, who shall receive, in full  
8 satisfaction for their wages, including all expenses, the surveyor  
9                 dollars per day, and each chain man and the marker  
10                dollars and           cents per day while they shall be em-  
11 ployed in said business, of which fact, a certificate, signed by  
12 said commissioners, shall be deemed sufficient evidence.

1 **SEC. 6.** *And be it further enacted,* That the sum of    thou-  
 2 sand dollars be, and the same is hereby appropriated to defray  
 3 the expenses of laying out and making said road, and the Presi-  
 4 dent is hereby authorized to draw, from time to time, on the  
 5 Treasury for such parts, or at any one time for the whole, of  
 6 said sum, as he shall judge the service requires, which sum  
 7 of       thousand dollars shall be paid out of the fund of two  
 8 per cent. reserved for laying out and making roads to the State  
 9 of Indiana, by virtue of the sixth section of an act passed on the  
 10 nineteenth day of April one thousand eight hundred and six-  
 11 teen, entitled "An act to enable the people of the Indiana Ter-  
 12 ritory to form a constitution and State government, and for the  
 13 admission of such State into the Union on an equal footing  
 14 with the original States," three per cent of the appropriations  
 15 contained in said sixth section, being reserved for the purpose  
 16 of making roads and canals within the said State of Indiana;  
 17 and, secondly, out of any money in the Treasury not otherwise  
 18 appropriated, chargeable upon, and reimbursable at the Trea-  
 19 sury, by said fund of two per cent, as the same shall accrue.

1 **SEC. 7.** *And be it further enacted,* That the President be-  
 2 and he is hereby requested to cause to be laid before Congress,  
 3 as soon as convenience will permit, at the commencement of  
 4 each session, a statement of the proceedings under this act, that  
 5 Congress may be enabled to adopt such further measures as  
 6 may, from time to time, be proper, under existing circumstances.